

United States District Court

DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

v.
DEONDRE BOYER

REDACTED

Criminal Complaint

CASE NUMBER: 05-126M-MPT

(Name and Address of Defendant)

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about October 27, 2005 in New Castle County, in the District of Delaware, defendant did knowingly possess a firearm in or affecting interstate commerce after being convicted of a crime that is punishable by imprisonment for a term exceeding one year,

in violation of Title 18 United States Code, Section(s) 922(g)(1) and 924(a)(2).

I further state that I am a(n) Special Agent, ATF and that this complaint is based
Official Title

on the following facts:

See attached Affidavit

Continued on the attached sheet and made a part hereof: Yes

Jason Kusheba

Signature of Complainant
Jason Kusheba
Special Agent, ATF

Sworn to before me and subscribed in my presence,

October 27, 2005 at
Date

Honorable Mary Pat Thyne
United States Magistrate Judge
Name & Title of Judicial Officer

Wilmington, DE
City and State

[Signature]
Signature of Judicial Officer

I, Jason M. Kusheba, being duly sworn, state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and have been so employed for approximately four and a half years. Your Affiant is currently assigned with the Operation Disarm Task Force and has been so assigned since, October 2003. The focus of the Operation Disarm Task Force is the investigation of federal and state firearms offenses. During the course of your Affiant's law enforcement career, your Affiant has received training on the investigation of firearms offenses on over 10 occasions. During your Affiant's law enforcement career your Affiant has participated in over 100 investigations of firearms crimes. I have been employed as a law enforcement officer in various capacities since 1997.
2. On or about, October 27, 2005, the New Castle County Police Department, (NCCPD) responded to a 911 call at [REDACTED], New Castle Delaware, that a subject was attempting to gain entry to this residence. Upon arrival, the NCCPD encountered DEONDRE BOYER; DOB [REDACTED] 1978, standing at the front door of the residence. Boyer was then taken into custody. It was then determined that Boyer actually resides at this residence.
3. On the same date, Boyer's girlfriend, Stacey Tyson arrived at this location where she also resides with her daughter, Brandy Tyson and DEONDRE BOYER. Stacey Tyson stated that the previous night at approximately 11:30 pm, BOYER arrived at the residence and was in possession of a firearm contained in a black backpack. Tyson stated that she got into an argument with BOYER because she did not want a firearm in her residence and told BOYER to get it out of her house. Tyson stated that BOYER then left with the backpack and firearm and did not return until the next day. Brandy Tyson stated that she observed BOYER bring the black backpack back into the residence on this date. Stacy Tyson then showed the NCCPD the backpack which was open, where the officer observed in plain view, a Taurus, model PT-40, .40-caliber pistol, serial number 09833 inside. The backpack also contained drug paraphernalia and a State of Delaware Family Court, Civil Summons, Petition for Custody, addressed to DEONDRE BOYER.
4. Your Affiant reviewed BOYER'S criminal history from the National Crime Information Center (NCIC) criminal history database, which showed that on or about November 7, 2002 Boyer was convicted of Possession of a Firearm by a Person Prohibited, a felony, in the United States District Court of Delaware.
5. Your Affiant knows from his training and experience that no Taurus pistols have been manufactured in the state of Delaware, and therefore it would have affected interstate commerce prior to it's arrival in the state of Delaware.
6. Based on the foregoing facts, your Affiant submits that there is probable cause to believe that DEONDRE BOYER has committed a violation of Title 18 United States Code, Section 922(g)(1), Felon in Possession of a Firearm, and therefore

respectfully requests that the court issue a complaint and arrest warrant for
BOYER.